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#37

In re Application of :
Louis S. Kucera et al :
Serial No.: 09/412,539 : PETITION DECISION
Filed: October 4, 1999 :
Attorney Docket No.: 053665-5005-02 :

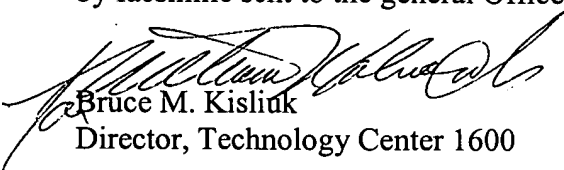
This is in response to the petition under 37 CFR 1.181, filed October 27, 2004, for withdrawal of abandonment of the above identified application based on filing of a timely reply. The delay in acting on this petition is regretted.

A review of the file history shows that the examiner mailed an Office action to applicants on December 24, 2003, setting a three month shortened statutory period for. Upon failure to receive a reply the application was held abandoned by Notice of Abandonment mailed October 20, 2004. Applicants state that a reply was filed March 22, 2004. The reply has now been located and correlated with the file. In view of the timely reply the Notice of Abandonment was mailed in error and is withdrawn and the application is restored to pending status with the mailing of this decision

The petition is **GRANTED**.

The application will be forwarded to the examiner for further action.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number 571-273-8300.


Bruce M. Kisliuk

Director, Technology Center 1600